

10-2-18

File #

17-2563

18-2313

Honorable Judge Langford,



On behalf of myself, I, Delmarus Terrell Bethany, would like to withdraw from a plea I recently entered. To my understanding, I am not bound to the agreement in which I am able to withdraw from at any time up until sentencing. There ~~are~~ several reasons pertaining to my request for ~~withdrawal~~ these reasons are based upon misrepresentation and ineffective assistance of counsel, I disagree and I am strongly unsatisfied with the agreement, I would not like to give up my right to cross-examine the witness and I demand a trial. I've currently been held in custody nearly eighteen months and after all this time along with about ten plus resets, I have continuously asked to have a trial. Instead, under the guidance of counsel, I have repeatedly been advised to take a plea when I disagree with the allegations made against me. On Friday September 28, 2018... Under pressure, frustration and fear, I entered a plea that I highly feel was unjust. To my knowledge I am aware and understand the "presumption of innocence" under (SDCL 23A-22-3) and would like to make light of this in a court of trial.

Thank you,

~ Delmarus Terrell Bethany ~